



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



August 21, 2003

Robert Hemenway
Sullivan County Nursing Home
RR 1, Box 392
Claremont, NH 03743

LETTER OF DEFICIENCY #WSEB 03-236
Certified Mail# 7099 3400 0002 9772 3248

Subject: Unity - Public Water System: Sullivan County Home (EPA#: 2384010)

Dear Mr. Hemenway:

The records of the Department of Environmental Services (DES) show that the Sullivan County Home water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days a year. Pursuant to NH Admin. Rule Env-Ws 381, all community and non-transient/non-community water systems are subject to the requirements of the Lead and Copper Corrosion Control Rule.

Compliance with Env-Ws 381.21 required the Sullivan County Home water system to submit ten lead and copper water samples ("Round 7" samples) by March 31, 2003. DES did not receive the required lead and copper sample results by March 31, 2003, thereby placing the water system in violation of Env-Ws 381.

On April 18, 2003, a Notice of Violation (NOV) was sent to you (copy enclosed). The NOV noted the failure to submit the required lead and copper sample results. The NOV requested that the appropriate lead and copper sample results be submitted to DES by April 30, 2003. The NOV also informed you that pursuant to Env-Ws 351, the failure to submit the lead and copper sample results required public notice of the violation to be performed within 30 days and proof of public notice to be sent to DES within 10 days of performing the public notice. DES did not receive the requested lead and copper sample results or the proof of public notice.

On June 13, 2003, another NOV was issued to the water system due to the failure to perform public notice as required (copy enclosed). This NOV also noted that the requested lead and copper sample results still had not been received. The June 13, 2003, NOV requested that by June 20, 2003, the appropriate lead and copper samples be collected and proof of public notice be submitted to DES.

To date, neither the sample results nor the proof of public notice have been received by DES.

DES believes these deficiencies can be corrected by taking the following actions:

By September 12, 2003, submit 10 lead and copper water samples from appropriate sites to the state laboratory or a state-certified laboratory. (Since some labs are limited in the number of lead and copper analyses they can perform each week, be sure to check your lab's availability.)

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2. **By September 12, 2003**, submit proof that public notice of the failure to submit lead and copper sample results has been performed in accordance with the enclosed public notice template.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an administrative order requiring the deficiency to be corrected, initiating an administrative fine proceeding and /or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

If you have questions concerning lead and copper sampling, please contact Becky Presby by phone at (603) 271-2516 or by email at rpresby@des.state.nh.us. If you have any questions concerning this letter, please contact Alan Leach by phone at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Giunta", is written over the word "COPY".

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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encl: April 18, 2003 Notice of Violation
June 13, 2003 Notice of Violation
Lead and Copper Public Notice Template

Gretchen Rule, DES Legal Unit
Luther Morway, Primary Operator
Julie Woodman, Owner's Representative
William Walton, Town of Unity Health Officer
EPA, Region 1
File